Case 07-05108 Doc 1 Filed 03/22/07 Entered 03/22/07 13:42:44 Desc Main Document Page 1 of 9

Official Form 1 (10/06)						~9° -	<del>0.0</del>					
	United No.			ruptcy of Illino						Volu	untary	Petition
Name of Debtor (if individual, ento Kuester, JoeBill	er Last, First,	Middle):			Name	of Joint	Debtor (S	pouse)	(Last, First,	Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All O (inclu	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):							
Last four digits of Soc. Sec./Compl xxx-xx-8370	ete EIN or ot	her Tax I	D No. (if mo	re than one, stat	e all) Last f	our digit	s of Soc. S	sec./Cor	mplete EIN	or other Ta	x ID No. (if	more than one, state all
Street Address of Debtor (No. and a 207 Shady Lane Mundelein, IL	Street, City, a	and State)	:	am a t		Address	of Joint D	Debtor (	No. and Stre	eet, City, ar	nd State):	
				ZIP Code <b>60060</b>								ZIP Code
County of Residence or of the Prince <b>Lake</b>	cipal Place of	Business	s:		Coun	ty of Res	idence or	of the P	Principal Pla	ce of Busin	ness:	
Mailing Address of Debtor (if diffe	rent from stre	et addres	6).		Maili	ng Addre	es of Ioint	Debtor	r (if differen	t from stree	et address).	
Walling Address of Debtor (if diffe	icht hom suv	oct address	3).		Iviani	ng / taure	33 01 30111	Deotoi	r (ir diricien	t from street	et address).	
			_	ZIP Code								ZIP Code
Location of Principal Assets of Bus	inass Dahtor											
(if different from street address abo												
<b>Type of Debtor</b> (Form of Organization)				of Business			Ch	-	of Bankrup etition is Fil	•		ch
(Check one box)  ■ Individual (includes Joint Debto See Exhibit D on page 2 of this  □ Corporation (includes LLC and □ Partnership  □ Other (If debtor is not one of the al check this box and state type of entities.)	form. LLP) bove entities,	Sing in I Rail Stoo	I U.S.C. § road kbroker nmodity Br uring Bank er  Tax-Exe (Check box tor is a tax- er Title 26 o	eal Estate as 101 (51B)  bker  mpt Entity  i, if applicable exempt org of the Unite-	e) anization d States	☐ Cha☐ Cha☐ Cha☐ Cha☐ Cha☐ Cha☐ Cha☐ Cha	apter 9 apter 11 apter 12 apter 13 apter 13 apter 13 apter 13	I.S.C. § 1 individu	of a Ch of a Nature (Check sumer debts, 101(8) as ual primarily	a Foreign M apter 15 Pe a Foreign N of Debts one box)		eding ecognition
Filing F	ee (Check or		e (the Inter	nal Revenue		•		-	ousehold purp Chapter 11 I			
Full Filing Fee attached  Filing Fee to be paid in installm attach signed application for the is unable to pay fee except in in  Filing Fee waiver requested (ap attach signed application for the	nents (applica e court's cons stallments. R	ble to indideration ule 1006	certifying t (b). See Offi ndividuals (	hat the debt cial Form 3A only). Must	or Checl	Debtor k if: Debtor to insid k all appl A plan Accept	is a small is not a sn 's aggrega lers or affii icable box is being fi ances of th	busines nall bus te nonce liates) a es: led with ne plan	ss debtor as siness debto	defined in r as defined quidated de \$2 million.	d in 11 U.S.  ebts (exclude)	C. § 101(51D). ing debts owed e or more
Statistical/Administrative Inform  ☐ Debtor estimates that funds will		for distri	bution to u	nsecured cre	editors.						OR COURT	<u></u>
Debtor estimates that, after any					ive expens	es paid,						
there will be no funds available Estimated Number of Creditors	for distributi	on to uns	ecured cred	litors.								
1- 50- 100-	200-	1000-	5001-	10,001-	25,001-	100,00						
49 99 199 ■ □ □	999 <b>□</b>	5,000	10,000	25,000	50,000	100,00	0 100,00	00				
Estimated Assets												
\$0 to \$10,000 \$100.00		\$100 \$1 n	),001 to nillion		000,001 to 0 million	_	More than \$100 millio	on				
Estimated Liabilities	101 4	D 616	001:		100.001	П	M					
\$0 to \$50,000 \$100,			0,001 to nillion		000,001 to 0 million		More than \$100 millio	on				

Case 07-05108 Doc 1 Filed 03/22/07 Entered 03/22/07 13:42:44 Desc Main
Official Form 1 (10/06) Page 2 of 9 FORM B1. Page 2

Voluntary	y Petition	Name of Debtor(s):  Kuester, JoeBill	TORN BI, 1 age 2	
(This page mus	st be completed and filed in every case)	11445151, 4552111		
	All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two, attach ad	ditional sheet)	
Location Where Filed:	- None -	Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Per	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	one, attach additional sheet)	
Name of Debto	or:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
	Exhibit A		hibit B whose debts are primarily consumer debts.)	
forms 10K at pursuant to S	leted if debtor is required to file periodic reports (e.g., ad 10Q) with the Securities and Exchange Commission ection 13 or 15(d) of the Securities Exchange Act of 1934 ting relief under chapter 11.)	I, the attorney for the petitioner named have informed the petitioner that [he o 12, or 13 of title 11, United States Cod under each such chapter. I further certification of the such chapter of the such chapter. I further certification of the such chapter certification of the such chapter. I further certification of the such chapter. I further certification of the such chapter.	in the foregoing petition, declare that I respectively and have explained the relief available fy that I delivered to the debtor the notice	
☐ Exhibit 1	A is attached and made a part of this petition.	X /s/ Edwin L. Feld Signature of Attorney for Debtor(s) Edwin L. Feld	March 21, 2007 (Date)	
		l ibit C		
☐ Yes, and	r own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.  Exheted by every individual debtor. If a joint petition is filed, ea	ibit D		
Exhibit l	O completed and signed by the debtor is attached and made	a part of this petition.	•	
L'AINOIT I				
	Information Regardin (Check any ap	=		
•	Debtor has been domiciled or has had a residence, principal days immediately preceding the date of this petition or for	al place of business, or principal asset		
	There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.				
	Statement by a Debtor Who Resides (Check all app		Ţ	
_	Landlord has a judgment against the debtor for possession		complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, th permitted to cure the entire monetary default that gave rise possession was entered, and			
	Debtor has included in this petition the deposit with the coafter the filing of the petition.	urt of any rent that would become due	e during the 30-day period	

Name of Debtor(s):

Kuester, JoeBill

## **Voluntary Petition**

(This page must be completed and filed in every case)

### Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### X /s/ JoeBill Kuester

Signature of Debtor JoeBill Kuester

 $\mathbf{X}$ 

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

March 21, 2007

Date

### Signature of Attorney

### X /s/ Edwin L. Feld

Signature of Attorney for Debtor(s)

#### Edwin L. Feld 6188070

Printed Name of Attorney for Debtor(s)

### Feld & Korrub, LLC

Firm Name

29 South LaSalle Street Suite 328 Chicago, IL 60603

Address

### 312-263-2100 Fax: 312-263-9838

Telephone Number

March 21, 2007

Date

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 07-05108 Doc 1 Filed 03/22/07 Entered 03/22/07 13:42:44 Desc Main Document Page 4 of 9

Official Form 1, Exhibit D (10/06)

# **United States Bankruptcy Court Northern District of Illinois**

In re	JoeBill Kuester		Case No.	
		Debtor(s)	Chapter	7

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.] \_\_\_\_

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

# Case 07-05108 Doc 1 Filed 03/22/07 Entered 03/22/07 13:42:44 Desc Main Document Page 5 of 9

## Official Form 1, Exh. D (10/06) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ JoeBill Kuester
JoeBill Kuester
Date: March 21, 2007

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

## NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Case 07-05108 Doc 1 Filed 03/22/07 Entered 03/22/07 13:42:44 Desc Main Document Page 7 of 9

### **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### **Certificate of Attorney**

X /s/ Edwin L. Feld

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Printed Name of Attorney	Signature of Attorney	Date
Address:		
29 South LaSalle Street		
Suite 328		
Chicago, IL 60603		
312-263-2100		
I (We), the debtor(s), affirm that I (we) h	Certificate of Debtor have received and read this notice.	
JoeBill Kuester	X /s/ JoeBill Kuester	March 21, 2007
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X	
	Signature of Joint Debtor (if any)	Date

Edwin L. Feld

March 21, 2007

Alliance One PO Box 3100 Southeastern, PA 19398

American Express PO Box 360002 Ft Lauderdale, FL 33336

Arlene Raymundo c/o Esurance PO Box 2890 Rocklin, CA 95677

AT&T PO Box 8220 Aurora, IL 60572

Citgo Processing Center Des Moines, IA 50362

Encore PO Box 3330 Olathe, KS 66063

Esurance PO Box 2890 Rocklin, CA 95677

Internal Revenue Service Mail Stop 5010 CHI 230 S Dearborn St Chicago, IL 60604

MBNA America PO Box 15026 Wilmington, DE 19850-5026

Midland Credit Management PO Box 939019 San Diego, CA 92193 NCO Portfolio Mgmt c/o NCO Financial PO Box 4907 Trenton, NJ 08650

Northland Group PO Box 390857 Edina, MN 55439

Palisades Collection PO Box 1244 Englewood Cliffs, NJ 07632

Portfolio Recovery 120 Corporate Blvd Suite 100 Norfolk, VA 23502

Ronnie Raymundo 1384 Kettering Rd Mundelein, IL 60060

Ryan Raymundo 1384 Kettering Rd Mundelein, IL 60060

SBC PO Box 769 Arlington, TX 76004

Secretary of State Safety Responsibility Section 2701 S. Dirksen Parkway Springfield, IL 62723

Verizon PO Box 6170 Carol Stream, IL 60197

Verizon Wireless 777 Big Timber Road Elgin, IL 60123